

Administrative

Manual

AM-205-8-1

Employee Layoff Procedures 09 17//09 (replaces 09/11/96)

RESPONSIBILITY

ACTION

Agency Head or Agency HR Officer

6 Weeks Prior to Layoff

Date: _____

1. Determine job classifications and organizational units from which employee(s) will be laid off.
2. For each organizational unit, develop a list of employees in each job classification from which layoffs will occur. List employees in order of their promotion dates beginning with the least senior employee.
3. Select employee(s) to be laid off as determined by this policy or existing negotiated memorandum of understanding. Retain seniority list in agency files.

4 Weeks Prior to Layoff

Date: _____

4. Send to the Labor Commissioner a Memorandum containing the following information on the employee(s) to be laid-off:
 - Organizational Unit.
 - Class number and title.
 - Employee Name.
 - Employee Identification Number.
 - Position number.
 - Entry Date.
 - Length of service in present classification.
 - Length of service in organizational unit.
 - Reason for layoff (Example: job abolishment).
 - Date of layoff.
 - Union or employee organization.
 - Date of Birth.
 - Gender.
 - Race.
5. Send a Memorandum containing the same information requested in Step 4 above to Department of Human Resources (DHR) and the Equal Opportunity Officer, Law Department, and:
 - a) Retain a copy of the Memorandum in agency's files.
 - b) At least 4 weeks prior to the date of layoff, the agency head must begin the preparation of layoff packages for distribution to employees being laid off. Lay off material may be found on the DHR intranet site under HR Tools. Assemble layoff materials into envelopes for each employee including:

- The signed layoff letter
- The layoff brochure
- Your Rights Under COBRA and Notice of Privacy Practices
- State Unemployment Insurance Brochure
- Retirement System brochure
- Signed memo regarding employee's indebtedness, if applicable.

3 Weeks Prior to Layoff

Date: _____

2 Weeks Prior to Layoff

Date: _____

Prior to Layoff

Date: _____

6. Receive written comments from Equal Opportunity Officer regarding impact of proposed layoff on agency's affirmative action plan.
7. Present or send to each employee to be laid off a letter containing pertinent information regarding the layoff, i.e., date of layoff, reason for layoff, and a statement that the separation from service is a result of a layoff and *is through no fault of the employee*. The letter must be presented to the employee in person or, if the employee is not available, sent to his or her home address by regular and certified mail with a return receipt requested. Attached to this letter must be a copy of INFORMATION FOR LAID-OFF EMPLOYEES (28-1418-5018 REV. 12/08). Due to the serious nature of being laid off, the preferred method is giving the employee the layoff letter in a short meeting to explain the reason for the layoff.
8. Conduct an exit interview with the employee; and
 - a) Complete an EMPLOYEE EXIT INTERVIEW (28-1608-5071). Prepare 3 copies of the EMPLOYEE EXIT INTERVIEW. Retain a copy in the agency's files and give a copy to the employee and DHR.
 - b) Inform the employee of any due compensation for unused vacation leave, personal leave, sick leave, compensatory leave, as applicable and that payment will be received in a lump sum.
 - c) If applicable, discuss the employee's indebtedness to the City. The indebtedness will prevail at the time of layoff; notify the Central Payroll Division of the Bureau of Accounting and Payroll. Complete an indebtedness memo that includes the following information:
 - Reason for indebtedness; and
 - Amount of indebtedness.

Prepare 3 copies of this MEMO. Give one copy to the employee, retain a copy in employee's personnel file and send copy to Central Payroll.

- d) Complete an EMPLOYEE TERMINATION CHECKLIST. Disburse as indicated on Checklist form.
 - e) Advise the employee to confer with the Municipal Employees Credit Union Inc. (MECU) regarding any outstanding loans and membership entitlement, if applicable. Notify MECU accordingly of employee status.
 - f) Inform employee that COBRA notification will be mailed directly to his/her home from ADP Benefit Services. The employee has 60 (sixty) days from the date of separation to apply for COBRA benefits.
9. Enter termination information in HRIS. Reason code should indicate layoff.

NOTE: Indicate the TERMINATION reasons, for employees who are eligible to retire, by checking **both** the RETIRED and LAY-OFF boxes as the reasons for the separation.

- a) Send to Central Payroll:
 - Completed and signed Termination Check list.
 - Copy of signed memo of employee's indebtedness, if applicable.

Labor Commissioner

4 Weeks Prior to Layoff

Date: _____

Due not later than the date of lay off:

Date: _____

10. Upon receipt of above cited Memorandum (Step 4) from the agency, verify the layoff list and notify the appropriate union or employee organization of the proposed layoff.

11. Notify Employee Retirement System and Department of Human Resources of employee status.

Equal Opportunity Officer

4 Weeks Prior to Layoff

Date: _____

12. Upon receipt of above cited Memorandum (Step 4) from the agency:
- Review the layoff; determine the impact on the agency's Affirmative Action Plan.

3 Weeks Prior to Layoff

Date: _____

13. Notify the agency in writing of the impact of the proposed layoff on the agency's Affirmative Action Plan.

**Department of Human
Resources**

3 Weeks Prior to Layoff

Date: _____

Due not later than the date of
lay off:

Date: _____

Payroll Division

After Layoff

Date: _____

14. Confer with employee on health benefit plan options for which he/she is eligible, if requested.

15. Confer with employee on eligibility for other City positions, if requested.

16. Place Civil Service employee's name on appropriate reemployment list(s).

17. Record the following information about the laid off employee:

- Conversion of sick leave days to cash.
- Number of sick leave days not converted to cash.
- Unused compensatory leave before payment for accumulated compensatory leave as applicable.
- Total length of City service.
- Length of service in level of current salary grade.
- Retain in agency files.

18. Prepare and issue employee's final paycheck and payment for unused leave. Deduct the amount of the employee's indebtedness to the City, if applicable.

19. Retain in agency files and "PAYROLL", if applicable, a copy of LETTER to employee concerning indebtedness to the City.

Retirement System

Before Cut-Off

Date: _____

20. Confer with employee regarding Retirement System benefits if requested. Process appropriate paper work on benefits according to employee's decision.